

PB# 87-23

New Windsor Mall

65-2-13

- NEW WINDSOR MALL 87-23 -
orig. ACTION AUDIO - 84-3
amended

Approved
3-11-87

NEW WINDSOR MALL
387 WINDSOR HIGHWAY
NEW WINDSOR, NY 12550

225

50-757/219

PAY
TO THE
ORDER OF

Town of New Windsor \$ 25.00
Twenty-Five ⁰⁰/₁₀₀ DOLLARS



FIRST NATIONAL

THE FIRST NATIONAL BANK OF NEW YORK
Route 9W & Chestnut Lane, Newburgh, New York 12550

FOR Application Fee - Retail / Office Bldg.

⑆000225⑆ ⑆021907577⑆ 23033880⑆

NEW WINDSOR MALL
387 WINDSOR HIGHWAY
NEW WINDSOR, NY 12550

226

50-757/219

PAY
TO THE
ORDER OF

Town of New Windsor \$ 100.00
One Hundred ⁰⁰/₁₀₀ DOLLARS



FIRST NATIONAL

THE FIRST NATIONAL BANK OF NEW YORK
Route 9W & Chestnut Lane, Newburgh, New York 12550

FOR Site Plan Fee - Retail / Office Bldg.

⑆000225⑆ ⑆021907577⑆ 23033880⑆

General Receipt

8721

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, N. Y. 12550

Received of

New Windsor Mall

One Hundred Twenty Five and ⁰⁰/₁₀₀ DOLLARS

For Site Plan Fee \$100.00 - Application Fee \$25.00

DISTRIBUTION

FUND	CODE	AMOUNT
Check #100.00	07	226
Check #25.00	07	225
\$125.00 total		

By

Pauline G. Townsend
Town Clerk

Williamson Law & Co. P.O. Box 1000, New Windsor, N.Y. 12550

NEW WINDSOR MALL
367 WINDSOR HIGHWAY
NEW WINDSOR, NY 12550

226

PAY
TO THE
ORDER OF

Town of New Windsor
One Hundred ⁰⁰/₁₀₀

\$ 100.00

DOLLARS



FOR Site Plan Fee - Retail/Office Bldg.

000225 021907577 23033880

General Receipt

8721

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, N. Y. 12550

Received of

New Windsor Mall

March 12 1987
\$ 125.00

One Hundred Twenty Five and ⁰⁰/₁₀₀

DOLLARS

For

Site Plan Fee \$100.00 - application Fee \$25.00

DISTRIBUTION

FUND	CODE	AMOUNT
<u>Check #100.00 #226</u>		
<u>Check #25.00 #225</u>		
<u>\$125.00 total</u>		

By

Pauline G. Townsend
Town Clerk

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, N. Y. 12550

General Receipt

8738

Received of

New Windsor Mall

March 18 1987
\$ 40.00

Forty and ⁰⁰/₁₀₀

DOLLARS

For

P.B. Engineering Fees 87-23

DISTRIBUTION

FUND	CODE	AMOUNT
<u>Check #228</u>		<u>40.00</u>

By

Pauline G. Townsend
Town Clerk

Date 16 March, 1987

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12550

TO McGoey and Hauser Consulting Engineers, P.C. DR.

45 Quassaick Avenue, New Windsor, NY 12550

DATE			CLAIMED		ALLOWED	
		<u>PROFESSIONAL SERVICES</u>				
		New Windsor Mall (Kass)				
		Site Plan Amendment				
		3,11 March 1987; 1.0 hr.			\$ 40	00
		AMOUNT DUE:			\$ 40	00

Handwritten signature
PB

TOWN OF NEW WINDSOR
PLANNING BOARD FEES
JANUARY 1, 1987

Checks payable to:
TOWN OF NEW WINDSOR

Date to:
TOWN CLERK

\$ 25.00 APPLICATION FEE

25.00

3-12-87

ADDITIONAL FEES

Amended Site Plan
\$100.00 (*) SITE PLAN FEE

100.00

3-12-87

\$100.00 PRE-PRELIMINARY

\$100.00 PRELIMINARY

\$100.00 + \$5.00 per unit FINAL PLAT

\$150.00 FINAL PLAT SEC. FEE

Varies ENGINEERING FEE

40.00

3-18-87

TOTAL ADDITIONAL FEES

* All uses (except multi-family dwellings, including apartment houses and condominiums). Apartment houses and condominiums: \$100.00 plus \$10.00 for each unit.

Separate check, payable to:
TOWN OF NEW WINDSOR

Date to:
COMPTROLLER

\$250.00 per unit (**) RECREATION FEE

** The unit or lot which contains the premises in which the applicant resides shall be excluded from paying the recreation fee.

Planning Board
Town of New Windsor
555 Union Avenue
New Windsor, NY 12550

(This is a two-sided form)

Date Received 3-3-87
Meeting Date 3-11-87
Public Hearing _____
Action Date 3-11-87
Fees Paid \$ 165.00

APPLICATION FOR SITE PLAN OR
SUBDIVISION PLAN APPROVAL

1. Name of Project New Windsor Mall (Frederick (Fritz) Kass)
2. Name of Applicant New Windsor Mall / Frederick J. Kass Jr. Phone 561-4132
Address 367 Windsor Highway
New Windsor, New York 12550
(Street No. & Name) (Post Office) (State) (Zip)
3. Owner of Record Frederick J. Kass, Samuel / Audrey Madison Phone 561-4132
Address 367 Windsor Highway
New Windsor, New York 12550
(Street No. & Name) (Post Office) (State) (Zip)
4. Person Preparing Plan Marshall Rosenblum Phone 562-1490
Address 6 Fullerton Avenue, Newburgh, N.Y. 12550
(Street No. & Name) (Post Office) (State) (Zip)
5. Attorney Samuel R. Madison Phone 518-439-4753
Address 346 Wellington Road, Delmar, N.Y. 12054
(Street No. & Name) (Post Office) (State) (Zip)
6. Location: On the East side of Windsor Highway
Corner feet of Old Forge Hill Road
of RT 32 New Windsor NY
(Street) (Direction)
7. Acreage of Parcel Measured 2.87 Acres
Taxed 3.3 Acres
8. Zoning District _____
9. Tax Map Designation: Section 65 Block 2 Lot 13
10. This application is for change in proposed use to
6000 SF Retail / office site plan modification
11. Has the Zoning Board of Appeals granted any variance or a special permit concerning this property? yes

Amended
orig site plan (Action Audio) 84-3

If so, list Case No. and Name _____

12. List all contiguous holdings in the same ownership ~~Not~~ None
Section _____ Block _____ Lot(s) _____

Attached hereto is an affidavit of ownership indicating the dates the respective holdings of land were acquired, together with the liber and page of each conveyance into the present owner as recorded in the Orange County Clerk's Office. This affidavit shall indicate the legal owner of the property, the contract owner of the property and the date the contract of sale was executed.

IN THE EVENT OF CORPORATE OWNERSHIP: A list of all directors, officers and stockholders of each corporation owning more than five percent (5%) of any class of stock must be attached.

OWNER'S ENDORSEMENT

(Completion required ONLY if applicable)

COUNTY OF ORANGE

SS.:

STATE OF NEW YORK

Frederick J. Kass being duly sworn, deposes and says that he resides at 367 Windsor Highway, New Windsor, NY in the County of ORANGE and State of New York and that he is (the owner in fee) of New Windsor Mall (65-2-13)
(Official Title)

of the Corporation which is the Owner in fee of the premises described in the foregoing application and that he has authorized Frederick J. Kass Jr. Marshall Resident make the foregoing application for Special Use Approval as described herein.

I HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS AND INFORMATION, AND ALL STATEMENTS AND INFORMATION CONTAINED IN THE SUPPORTING DOCUMENTS AND DRAWINGS ATTACHED HERETO ARE TRUE.

Sworn before me this

12th day of March 1987

(Owner's Signature)

(Applicant's Signature)

Pauline C. Townsend
Notary Public

Frederick J. Kass Jr. - General Partner
(Title)

PAULINE C. TOWNSEND
Notary Public for New York
No. 4543692
Appointed in Orange County
My commission expires Mar 30, 1989
12/31/89

Mr. Klein: We will definitely go ahead and do that and show the additional spaces. We can show a couple more than the required.

Mr. Edsall: When you show us the blacktopped area define the isle width, parking spaces, we don't want people pulling out to 94 from any point they choose, it should be controlled and that will be fine.

Mr. Klein: There are no curbs it is all blacktopped to the road, that is the existing condition and we request it remain that way to facilitate in and out there.

Mr. Van Leeuwen: Here is a copy of the engineer's criteria.

Mr. Klein: I'd like to request that we be placed on the agenda at the next meeting if possible.

Mr. Schiefer: Fine, we will try.

Mr. Klein: With these corrections we'd come back next time for final approval. Thank you.

NEW WINDSOR MALL (SITE REVISION) -ROSENBLUM

87-23
3-11-87

Mr. Marshall Rosenblum came before the Board representing this proposal.

Mr. Schiefer read the engineer's comments regarding this proposal.

Mr. Van Leeuwen: We have two problems one is this is for office use there is a commercial zone he is going to have to go for a variance we can't approve this this way. The other thing even though the part of the existing building is on the property line he is going to have to get a variance for that too.

Mr. Rosenblum: If you look on the table this package has already gotten a variance for the rear yard set back and the general use of the property. This was a combined site commercial and R4 the former proposed warehouse being wholly in the R4 zone. The intended change here is not to vary the size of the approved structure at all in location or size only to change the use from a warehouse to a development similar to the new construction.

Mr. Van Leeuwen: You have retail offices?

Mr. Rosenblum: Some may be used as professional offices.

Mr. Van Leeuwen: The office is not allowed in this zone.

Mr. Rones: That is a C zone.

Mr. Van Leeuwen: I believe it is neighborhood commercial.

Mr. McCarville: This business was approved this way here?

Mr. Van Leeuwen: Leave the retail in and take the office part off.

Mr. Roness: Offices are allowed in a NC zone.

Mr. Schiefer: He already has a variance for this.

Mr. Roness: Do we have a copy of the variance in the file here? When did you get that variance?

Mr. Van Leeuwen: Two years ago.

Mr. Rosenblum: The intention is certainly to develop it as the rest of the shopping center.

Mr. Schiefer: You said the offices were acceptable.

Mr. Roness: Yes. There are two zones we are talking about here. In the C zone it is OK. Whatever he is doing in the R4 is a different story.

Mr. Van Leeuwen: "That the Planning Board of the Town of New Windsor approve the site revision of New Windsor Mall." Seconded by Mr. McCarville and approved by the Board.

Roll Call: All Ayes

CORRESPONDENCE

Mr. Roness: I have received a copy of a letter actually addressed to Mike Babcock as building inspector from Heritage Task Force for the Hudson River Valley concerning the premises they refer to as Sloop Hill. The item which is Plum Point job, and they are complaining to Mike Babcock they understand that he is about to issue an application for a building permit. They are urging him not to grant it for a number of reasons among them being that you as the Planning Board didn't have any authority to grant an extension of the site plan approval. And they point to Section 48-9 of our ordinance which provides that the Town Board has the power to grant extension of time for site plan approval. And with respect to that they feel that since it mentions the Town Board and not the Planning Board that the Planning Board doesn't have any authority. The background and the history of the Planning Board the Planning Board has always been doing this and we have established the rule. There doesn't seem to be any statutory problems it is against the Planning Board doing this but nevertheless they have brought up this point. I had a call from Tad Seaman and there was a discussion with Tad about this also and my view is that the Planning Board is not in a position at this point to change the approval that it already gave and that if this group the Heritage Task Force has some objection to that it is going to be up to the court to set us straight or validate what has been done. At this point if the building inspector has whatever else he needs in order to grant, appropriate documentation, to grant the building permit from the Planning Board's point of view I don't see that he should be issued any contrary instructions by us. I made a phone call to Dan Harris attorney for the developer to advise him that this matter had been brought up and since they are interested of course to give whatever input they have and if they wanted an opportunity to be heard and give whatever input they have they are certainly welcome. From my point of view the Planning Board should not issue any directive to Mike Babcock not to issue a building permit.



McGOEY and HAUSER
CONSULTING ENGINEERS P.C.

45 QUASSAICK AVE. (ROUTE 9W)
NEW WINDSOR, NEW YORK 12550

TELEPHONE (914) 562-8640
PORT JERVIS (914) 856-5600

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
Associate

Licensed in New York,
New Jersey and Pennsylvania

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: New Windsor Mall
PROJECT LOCATION: Route 32 and Forge Hill Road
NW #:
11 March 1987


1). The Applicant has submitted an amended Site Plan as previously approved by the New Windsor Planning Board. The change involves the change in use of the 6,000 square foot building to the south of the property from warehouse use to retail/office use.

2). Based on the change in use as proposed, an additional 24 parking spaces would be required and a sufficient number of spaces are provided to meet this increased requirement.

3). In addition to the aforementioned amendment to the drawing, the Applicant has added a 4' sidewalk along the front of the proposed building and has defined the parking space sizes to verify compliance.

4). Our review of the amended drawing, as made by Marshall Rosenblum, indicates that the changes are acceptable from an engineering standpoint.

Respectfully submitted,


Mark J. Edsall, P.E.
Planning Board Engineer

MJEfmD

ROSENBLUM A.I.A.

MARSHALL ROSENBLUM A.I.A. ARCHITECT
P.O. BOX 2988 NEWBURGH, NEW YORK 12550
TELEPHONE 914-562-0270

Licensed: NY NJ CT IL RI NCARB

3 March 1987

Mr. Henry Scheible, Chairman
Town of New Windsor Planning Board
555 Union Avenue, New Windsor, NY 12550

SUBJECT: SITE PLAN REVISION: FREDERICK J. KASS, (NEW WINDSOR
MALL, ROUTE 32 & FORGE HILL ROAD, NEW WINDSOR, NY)

Dear Mr. Scheibel:

Attached, per my phone conversation with Mr. Babcock please find
Site Plan copies revised to indicate a change of use for the
proposed 6000SF warehouse to retail/office construction.

The intent of this work is to provide a building similar in
appearance to the existing newly constructed shopping facility at
this site, with a receiving dock at the south end, as per the
Plan. No increase in building size or relocation of the building
is intended by this Site Plan revision.

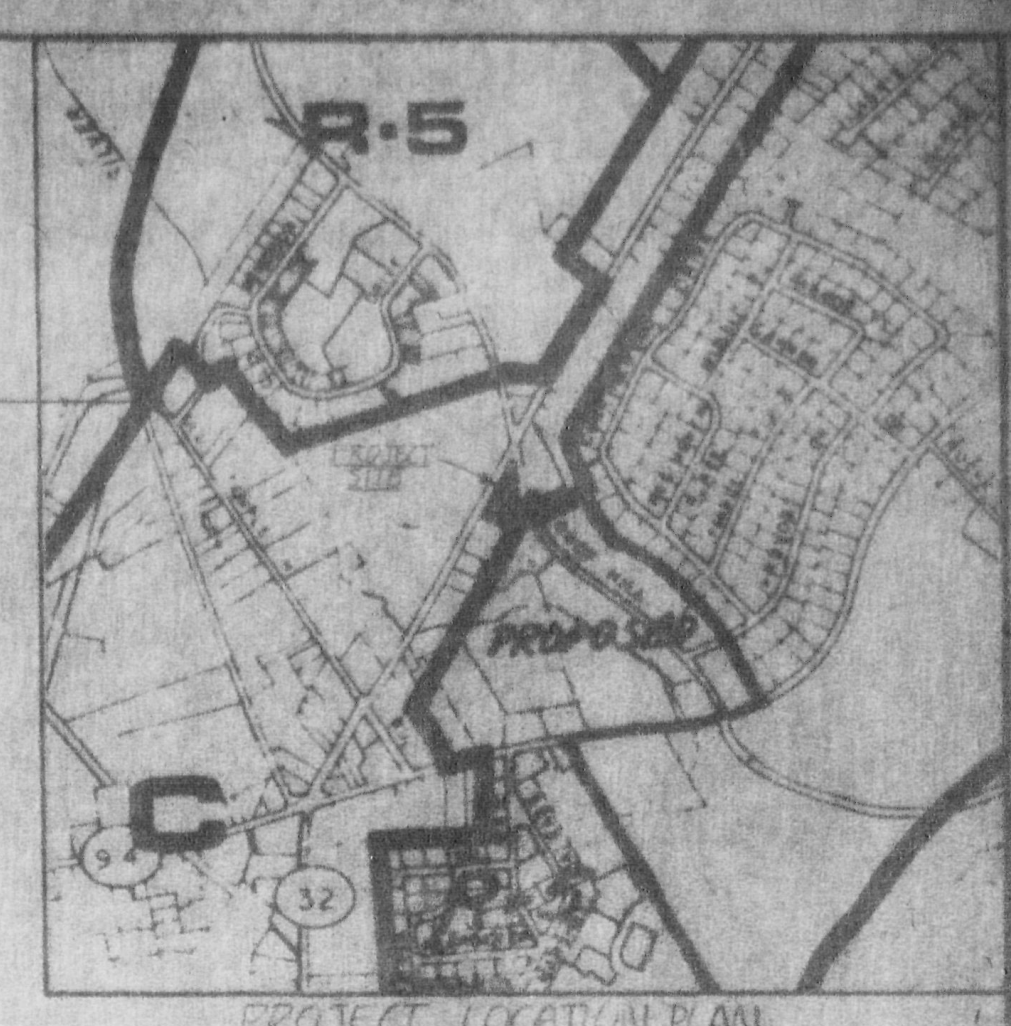
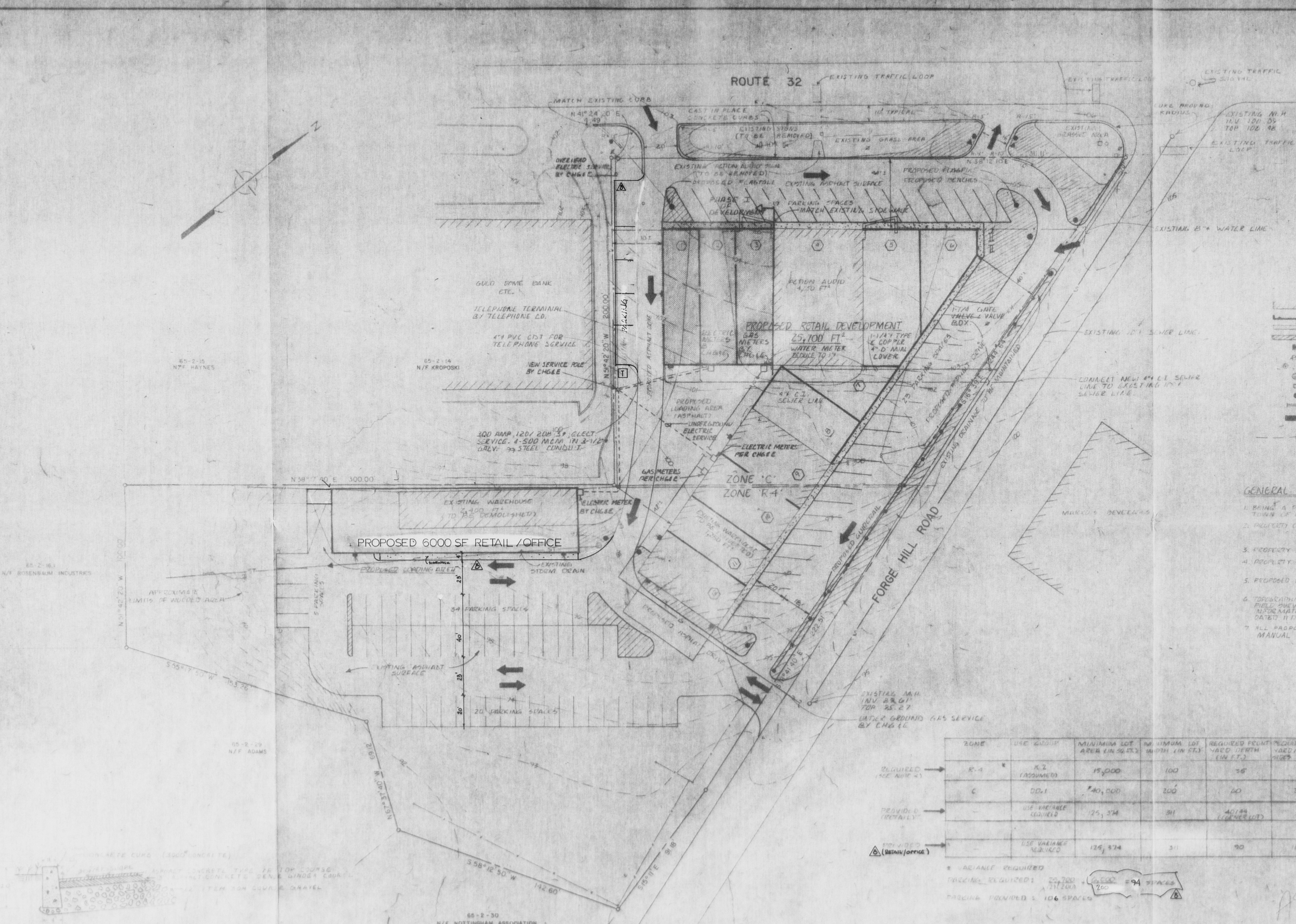
Parking requirement calculations have been revised; adequate
parking is provided at the site.

Very truly yours



Marshall Rosenblum, AIA

cc. F.J. Kass



- LEGEND**
- EXISTING BUILDINGS
 - PROPOSED BUILDINGS
 - PROPOSED SIDEWALK WITH CURB
 - PROPOSED ASPHALT DRIVE
 - PROPOSED ASPHALT DRIVE
 - EXISTING UTILITY POLE WITH RAIL
 - PROPOSED UTILITY POLE WITH RAIL
 - EXISTING CATCH BASIN
 - EXISTING SIGNAL BOX
 - PROPOSED FLAG POLE
 - PROPOSED BENCHES
 - PROPOSED TRAFFIC FLOW
 - EXISTING CONTIGUE
 - PROPOSED ONE WAY DRIVE (N-12-13)
 - PROPOSED NO LEFT TURN SIGNAL (N-12-13)

- GENERAL NOTES**
1. BEING A PROPOSED DEVELOPMENT OF THE LANDS SHOWN ON THE TOWN OF NEW WINDSOR TAX MAPS AS SECTION 65, BLOCK 2, LOT 15.
 2. PROPERTY OWNER (DEVELOPER): ROSENBLUM AIA, 6 FULLERTON AVENUE, NEW WINDSOR, NEW YORK 12550.
 3. PROPERTY AREA: 2.876 ACRES (126,314 SQ. FT.).
 4. PROPERTY ZONE: 37% C, R-4.
 5. PROPOSED USE: A) DEVELOPMENT OF RETAIL STORE COMPLEX. B) TWO STORY OFFICE BUILDING.
 6. TOPOGRAPHIC AND GEOMETRIC INFORMATION SHOWN HEREIN IS FROM FIELD SURVEY BY MCGOEY AND HAUSER, DATED 29-JAN-84. SURVEY INFORMATION SHOWN HEREIN IS FROM SURVEY BY DANIEL W. PERKINS, DATED 11-FEB-72.
 7. ALL PROPOSED ROAD SIGNS SHALL BE IN ACCORDANCE WITH THE NYS MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES.

ZONE	USE GROUP	MINIMUM LOT AREA (IN SQ. FT.)	MINIMUM LOT WIDTH (IN FT.)	REQUIRED FRONT YARD DEPTH (IN FT.)	REQUIRED SIDE YARD DEPTH (IN FT.)	REQUIRED REAR YARD DEPTH (IN FT.)	FLOOR AREA RATIO	MAX. BUILDING HEIGHT (IN FT.)
R-4	R-2 (ASSUMED)	15,000	100	35	15/30	40	0.25	35
C	DD-1	40,000	200	40	30/70	60	0.5	15.5
	USE VARIANCE REQUIRED	25,374	311	40/44 (USE VARIANCE)	101	-	0.25	20
	USE VARIANCE REQUIRED	126,374	311	90	105/275	5	0.25	20

* VARIANCE REQUIRED
 PARKING REQUIRED: 20,700 / 211,200 = 94 SPACES
 PARKING PROVIDED: 106 SPACES

TYPICAL CURB SHOULDER DETAIL
 NO SCALE

NOTE: DEVELOPER PREPARED BY M. ROSENBLUM

ROSENBLUM AIA

MARSHALL ROSENBLUM, ARCHITECT
 6 FULLERTON AVENUE P.O. BOX 2956
 NEWBURGH, NY 12550
 Licensed: NY NJ CT IL NCARB

McGOEY and HAUSER
 CONSULTING ENGINEERS

45 QUAIL ROAD, SUITE 100, NEW WINDSOR, NEW YORK 12550

PLAN FOR:

NEW WINDSOR MALL

TOWN OF NEW WINDSOR ORANGE COUNTY NEW YORK

SITE PLAN

3 MAR 87

1. PREPARED BY M. ROSENBLUM

2. CHECKED BY M. ROSENBLUM

3. APPROVED BY M. ROSENBLUM

4. REVIEWED BY M. ROSENBLUM

5. APPROVED BY M. ROSENBLUM

6. APPROVED BY M. ROSENBLUM

7. APPROVED BY M. ROSENBLUM

8. APPROVED BY M. ROSENBLUM

9. APPROVED BY M. ROSENBLUM